

Attorney Docket No. 70207/5596

CGC

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: **Benyami et al.**

Appln. No.: **09/785,072**

Filed: **February 16, 2001**

Title: **BALLISTIC ARMOR PANEL**

Patent No.: **6,892,623**

Issued: **May 17, 2005**

Conf. No. **3067**

Customer No. **22242**

CERTIFICATE OF MAILING

I hereby certify that this paper is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, **CERTIFICATE OF CORRECTION BRANCH**, on this date.

9/14/05
Date

Kenneth H. Samples
Kenneth H. Samples
Reg. No. 25,747
Attorney for Applicant

REQUEST FOR CERTIFICATE OF CORRECTION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Certificate
SEP 22 2005
of Correction

Attention: CERTIFICATE OF CORRECTION BRANCH

Sir:

In accordance with 37 C.F.R. §§ 1.323, the above-specified Applicants through their attorneys respectfully request that a Certificate of Correction be issued for the above-referenced patent to correct the name of Assignee. Enclosed herewith is a copy of the Assignment recorded with USPTO Assignment Division on 7/31/2001, under Reel 012036 and Frame 0635. A Certificate of Correction (PTO/SB/44) incorporating the change is enclosed in duplicate.

On Title Page:

(73) Assignee:

Please delete "The State of Israel, Ministry of Defense, Armament Development Authority, Rafael (IL)", and insert -- Rafael Armament Development Authority Ltd., Haifa (IL) --.

SEP 22 2005

Serial No. 09/785,072
Patent No. 6,892,623 B2

Attorney Docket No. 70207/5596

REMARKS

Certificate of Correction (Form PTO/SB/44) which incorporates the above change of Assignee is enclosed herewith. A copy of the Notice of Recordation of Assignment is enclosed indicating the correct Assignee. Issuance of a Certificate of Correction is respectfully requested.

The Commissioner is hereby authorized to charge a fee for the Certificate of Correction under 37 C.F.R. §1.20(a) in the amount of \$100.00 (*Trans. No. 24920*), and any additional fees which may be requested, or credit any overpayment, to Deposit Account No. 06-1135. A duplicate copy of this sheet is enclosed.

Please send the Certificate to:

Kenneth H. Samples, Esq.
FITCH, EVEN, TABIN & FLANNERY
120 S. LaSalle Street
Suite 1600
Chicago, IL 60603

Respectfully submitted,

FITCH, EVEN, TABIN & FLANNERY

Date: 9/14/05

By: Kenneth H. Samples
Kenneth H. Samples
Registration No. 25,747

120 South LaSalle Street
Suite 1600
Chicago, Illinois 60603
Telephone: (312) 577-7000
Facsimile: (312) 577-7007

**UNITED STATES PATENT AND TRADEMARK OFFICE
CERTIFICATE OF CORRECTION**

PATENT NO. : **6,892,623**
DATED : **May 17, 2005**
INVENTOR(S) : **Benyami et al.**

It is certified that error appears in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

Title Page:

(73) Assignee:

Please delete " The State of Israel, Ministry of Defense, Armament Development Authority, Rafael (IL)",

and insert -- Rafael Armament Development Authority Ltd., Haifa, (IL) --.

MAILING ADDRESS OF SENDER:

Kenneth H. Samples
Fitch, Even, Tabin & Flannery
120 South LaSalle Street, Suite 1600
Chicago, Illinois 60603-3406

PATENT NO: **6,892,623**

No. of additional copies

⇒ 1

SEP 22 2005

**UNITED STATES PATENT AND TRADEMARK OFFICE
CERTIFICATE OF CORRECTION**

PATENT NO. : **6,892,623**
DATED : **May 17, 2005**
INVENTOR(S) : **Benyami et al.**

It is certified that error appears in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

Title Page:

(73) Assignee:

Please delete " The State of Israel, Ministry of Defense, Armament Development Authority, Rafael (IL)",
and insert -- Rafael Armament Development Authority Ltd., Haifa, (IL) --.

MAILING ADDRESS OF SENDER:

Kenneth H. Samples
Fitch, Even, Tabin & Flannery
120 South LaSalle Street, Suite 1600
Chicago, Illinois 60603-3406

PATENT NO: **6,892,623**

No. of additional copies

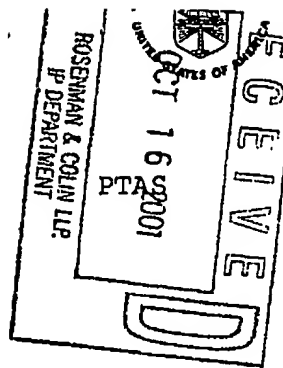


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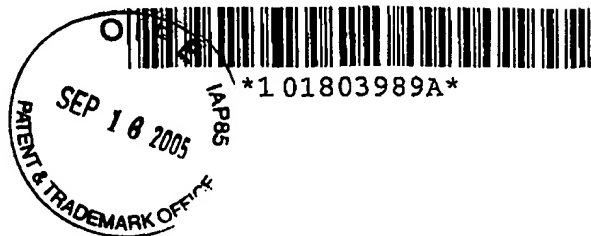
SEP 22 2005

OCTOBER 09, 2001

HELFGOTT & KARAS, P.C.
LINDA S. CHAN
EMPIRE STATE BUILDING
60TH FLOOR
NEW YORK, NY 10118



PATENT AND TRADEMARK OFFICE
ASSISTANT SECRETARY AND COMMISSIONER
OF PATENTS AND TRADEMARKS
Washington, D.C. 20231



UNITED STATES PATENT AND TRADEMARK OFFICE
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 07/31/2001.

REEL/FRAME: 012036/0635
NUMBER OF PAGES: 4

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

STATE OF ISRAEL, MINISTRY DEFENCE,
ARMAMENT AUTHORITY, RAFAEL, THE

DOC DATE: 07/23/2001

ASSIGNEE:

RAFAEL ARMAMENT DEVELOPMENT
AUTHORITY LTD.
P.O. BOX 2250
HAIFA, ISRAEL 31021

SERIAL NUMBER: 08952145
PATENT NUMBER: 6122572

FILING DATE: 11/10/1997
ISSUE DATE: 09/19/2000

SERIAL NUMBER: 09356989
PATENT NUMBER: 6263849

FILING DATE: 07/20/1999
ISSUE DATE: 07/24/2001

SERIAL NUMBER: 09785072
PATENT NUMBER: 129228.3

FILING DATE: 02/16/2001
ISSUE DATE:

SERIAL NUMBER: 07020210
PATENT NUMBER: 4741244

FILING DATE: 02/27/1987
ISSUE DATE: 05/03/1988

SEP 22 2005

79652.0 SERIAL NUMBER: 07710980
PATENT NUMBER: 5070764

FILING DATE: 06/06/1991
ISSUE DATE: 12/10/1991

3773.0 SERIAL NUMBER: 08672241
PATENT NUMBER: 5609434

FILING DATE: 06/28/1996
ISSUE DATE: 03/11/1997

56570.9 SERIAL NUMBER: 07914711
PATENT NUMBER: 5257331

ABD 17/10/7w FILING DATE: 07/15/1992
ISSUE DATE: 10/26/1993

1123.9 SERIAL NUMBER: 08617085
PATENT NUMBER: 5792974

FILING DATE: 03/18/1996
ISSUE DATE: 08/11/1998

3540.3 SERIAL NUMBER: 08559728
PATENT NUMBER: 5637824

FILING DATE: 11/15/1995
ISSUE DATE: 06/10/1997

84539.4 SERIAL NUMBER: 07778255
PATENT NUMBER: 5189913

FILING DATE: 10/17/1991
ISSUE DATE: 03/02/1993

8383.8 SERIAL NUMBER: 07683881
PATENT NUMBER: 5134725

FILING DATE: 04/11/1991
ISSUE DATE: 08/04/1992

89000.4 SERIAL NUMBER: 08021871
PATENT NUMBER: 5340056

FILING DATE: 02/24/1993
ISSUE DATE: 08/23/1994

14339.9 SERIAL NUMBER: 08280595
PATENT NUMBER: 5506709

FILING DATE: 07/29/1994
ISSUE DATE: 04/09/1996

92235.7 SERIAL NUMBER: 08685713
PATENT NUMBER: 5712943

FILING DATE: 07/24/1996
ISSUE DATE: 01/27/1998

10758.0 SERIAL NUMBER: 09072304
PATENT NUMBER: 6043867

FILING DATE: 05/04/1998
ISSUE DATE: 03/28/2000

99161.2 SERIAL NUMBER: 08544465
PATENT NUMBER: 5652588

FILING DATE: 10/18/1995
ISSUE DATE: 07/29/1997

MARY BENTON, EXAMINER
ASSIGNMENT DIVISION
OFFICE OF PUBLIC RECORDS

SEP 22 2005

Assignment of Intellectual Property Rights

Whereas: The State of Israel, Ministry of Defence, Armament Authority, Rafael (hereinafter "Assignor") is the registered proprietor ("Applicant") of the patents, applications patents and Trade Marks (the "Assigned Intellectual Property" shown in Annex A hereto); and

Whereas it was agreed between the Assignor and Rafael Armament Development Authority Ltd. (hereinafter "Assignee") on the transfer of the rights of Assignor in the Assigned Intellectual Property; and

Whereas Assignor wishes to assign and transfer to the Assignee the titles and interest with respect to the Assigned Intellectual Property Marks and any national/regional patent application or any other form of protection of intellectual property, which may be provided by the laws of any country, based on patents, patents applications or Trade Marks in said Annex A; and

Whereas: Assignee wishes to acquire full title to the Intellectual Property, as specified below;

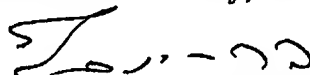
Now therefore, on this 23 day of July, 2001, in consideration of ONE UNITED STATES DOLLAR (US \$1.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, Assignor hereby irrevocably assigns its rights and title in the Assigned Intellectual Property to Assignee.

The Assignment, as specified herewith, applies to rights in the Assigned Intellectual Property in any country or territory throughout the world, to which it pertains including without limitation Israel, Europe, Singapore; and the U.S.A. with its territories, dependencies and possessions, and the right to apply for any letters patent or any other forms of protection of intellectual property as may be provided by any such country or territory, including also, without limitations, divisional, continuation and reissue patent applications and patents, with full benefits and such priorities as may now or hereafter be granted by local laws, treaties, or international conventions.

Assignor further agrees that they will, at Assignee's request and expense, but without demanding further consideration, perform all lawful acts necessary, including the execution and acknowledgment of instruments, that may be, or may become, necessary for obtaining, maintaining and perfecting Assignee's title to said Intellectual Property.

IN WITNESS WHEREOF, we have respectively, hereunto set our hands and seals:

Assignor:
The State of Israel, Ministry of Defence,
Armament Authority, Rafael


Name: R. BAR-JOSEF
Title: CHAIRMAN OF THE PATENT COMMITTEE

Assignee:
Rafael Armament Development Authority
Ltd.


Name: DAN DODIUK, ADVOCATE
GENERAL COUNSEL
Name: RAFAEL
Title: ARMAMENT DEVELOPMENT AUTHORITY LTD.

SEP 22 2001

CONTINUATION
PATENTS ONLY

U.S. Department of Commerce
Patent and Trademark Office
PATENT

Conveying Party(ies)

☐ Mark if additional names of conveying parties attached

Enter additional Conveying Parties

Execution Date
Month Day Year

Name (line 1)

Name (line 2)

Name (line 1)

Name (line 2)

Name (line 1)

Name (line 2)

Execution Date
Month Day Year

Execution Date
Month Day Year

Receiving Party(ies)

☐ Mark if additional names of receiving parties attached

Enter additional Receiving Party(ies)

Name (line 1)

Name (line 2)

Address (line 1)

Address (line 2)

Address (line 3)

City

State/Country

Zip Code

Name (line 1)

Name (line 2)

Address (line 1)

Address (line 2)

Address (line 3)

City

State/Country

Zip Code

☐ If document to be recorded is an assignment and the receiving party is not domiciled in the United States, an appointment of a domestic representative is attached. (Designation must be a separate document from Assignment.)

☐ If document to be recorded is an assignment and the receiving party is not domiciled in the United States, an appointment of a domestic representative is attached. (Designation must be a separate document from Assignment.)

Application Number(s) or Patent Number(s)

☐ Mark if additional numbers attached

Enter either the Patent Application Number or the Patent Number (DO NOT ENTER BOTH numbers for the same property).

Patent Application Number(s)

Patent Number(s)

5506709		
5712943		
6043867		
5652588		

Correspondent Name and Address

Area Code and Telephone Number (212)643-5000

Name Helfgott & Karas, P.C.

Address (line 1) Empire State Building

Address (line 2) 60th Floor

Address (line 3) New York, New York 10118

Address (line 4) Attorney Docket No.: COHN 9666A; 9699A

Pages

Enter the total number of pages of the attached conveyance document including any attachments.

1

Application Number(s) or Patent Number(s)

☒ Mark if additional numbers attached

Enter either the Patent Application Number or the Patent Number (DO NOT ENTER BOTH numbers for the same property).

Patent Application Number(s)

Patent Number(s)

08952145

4741244

5257331

5189913

09356989

5070764

5792974

5134725

09785072

5609434

5637824

5340056

If this document is being filed together with a new Patent Application, enter the date the patent application was signed by the first named executing inventor.

Month Day Year

Patent Cooperation Treaty (PCT)

Enter PCT application number only if a U.S. Application Number has not been assigned.

PCT

PCT

PCT

PCT

PCT

PCT

Number of Properties

Enter the total number of properties involved.

16

Fee Amount

Fee Amount for Properties Listed (37 CFR 3.41): \$ 640.00

Method of Payment:
Deposit Account

Enclosed ☒

Deposit Account ☐

(Enter for payment by deposit account or if additional fees can be charged to the account.)

Deposit Account Number:

08-1634

Authorization to charge additional fees:

Yes

☒

No

☐

Statement and Signature

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document. Charges to deposit account are authorized, as indicated herein.

Linda S. Chan

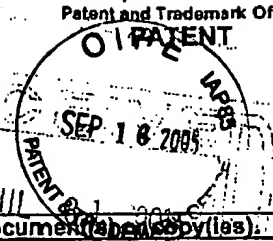
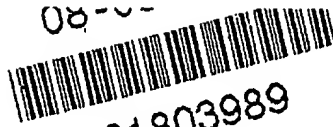
Name of Person Signing

Signature

07/31/01

Date

SEP 22 2001



7-31-6)

REGISTRATION FORM COVER SHEET
PATENTS ONLY

TO: The Commissioner of Patents and Trademarks: Please record the attached original document(s) and copy(ies).

Submission Type

☒ New
☐ Resubmission (Non-Recordation)
Document ID#
☐ Correction of PTO Error
Reel # Frame #
☐ Corrective Document
Reel # Frame #

Conveyance Type

☒ Assignment ☐ Security Agreement
☐ License ☐ Change of Name
☐ Merger ☐ Other
U.S. Government
(For Use ONLY by U.S. Government Agencies)
☐ Departmental File ☐ Secret File

Conveying Party(ies)

☐ Mark if additional names of conveying parties attached
Execution Date
Month Day Year
07 23 01

Name (line 1) The State of Israel, Ministry Defence, Armament Authority, Rafael

Name (line 2)

Second Party

Name (line 1)

Name (line 2)

Execution Date
Month Day Year

Receiving Party

☐ Mark if additional names of receiving parties attached

Name (line 1) Rafael Armament Development Authority Ltd.

Name (line 2)

Address (line 1) P.O. BOX 2250

Address (line 2)

Address (line 3) Haifa

Israel
State/Country

31021
Zip Code

☐ If document to be recorded
is an assignment and the
receiving party is not
domiciled in the United
States, an appointment
of a domestic
representative is attached.
(Designation must be a
separate document from
Assignment.)

Domestic Representative Name and Address

Enter for the first Receiving Party only.

Name

Address (line 1)

Address (line 2)

Address (line 3)

Address (line 4)

FOR OFFICE USE ONLY

08/07/2001 TDIAZ1 00000118 08952145

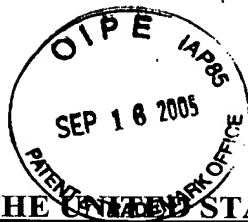
01 FC:581

640.00 0P

Public burden reporting for this collection of information is estimated to average approximately 30 minutes per Cover Sheet to be recorded, including time for reviewing the document and gathering the data needed to complete the Cover Sheet. Send comments regarding this burden estimate to the U.S. Patent and Trademark Office, Chief Information Officer, Washington, D.C. 20231 and to the Office of Information and Regulatory Affairs, Office of Management and Budget, Paperwork Reduction Project (0651-0027), Washington, D.C. 20503. See OMB Information Collection Budget Package 0651-0027, Patent and Trademark Assignment Practice. DO NOT SEND REQUESTS TO RECORD ASSIGNMENT DOCUMENTS TO THIS ADDRESS.

Mail documents to be recorded with required cover sheet(s) information to:
Commissioner of Patents and Trademarks, Box Assignments, Washington, D.C. 20231

SEP 28 2005



Attorney Docket No. 70207/5596

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: **Benyami et al.**

Appln. No.: **09/785,072**

Filed: **February 16, 2001**

Title: **BALLISTIC ARMOR PANEL**

Patent No.: **6,892,623**

Issued: **May 17, 2005**

Conf. No. **3067**

Customer No. **22242**

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9/14/05
Date

Kenneth H. Samples
Kenneth H. Samples
Reg. No. 25,747
Attorney for Applicant

REQUEST FOR CERTIFICATE OF CORRECTION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Attention: **CERTIFICATE OF CORRECTION BRANCH**

Sir:

In accordance with 37 C.F.R. §§ 1.322, the above-specified Applicants through their attorneys respectfully request that a Certificate of Correction be issued for the above-referenced patent to correct the following error. A Certificate of Correction (PTO/SB/44) incorporating the change is enclosed in duplicate.

Claims:

Please add allowed claims 14-16 missing in the issued patent No. 6,892,623.

SEP 22 2005

Serial No. 09/785,072
Patent No. 6,892,623 B2

Attorney Docket No. 70207/5596

REMARKS

Claims 14-16 were filed on June 12, 2002 in Response to Office action, and allowed by the examiner. A copy of Supplemental Notice of Allowability issued on June 10, 2004, and indicating that claims 14-16 were allowed, is enclosed herewith. A Certificate of Correction (Form PTO/SB/44) which incorporates the allowed claims 14 – 16 is enclosed herewith. Since claims 14-16 should have been printed in the US Patent No. 6,892,623, issuance of a Certificate of Correction is respectfully requested.

The above-requested change represents an error which occurred during printing of the patent. Inasmuch as this error occurred on the part of the Patent Office, it is believed that issuance of a Certificate of Correction is appropriate and should be issued without expense to the patentee and such is respectfully requested.

Please send the Certificate to:

Kenneth H. Samples, Esq.
FITCH, EVEN, TABIN & FLANNERY
120 South LaSalle Street
Suite 1600
Chicago, IL 60603-3406

Respectfully submitted,

FITCH, EVEN, TABIN & FLANNERY

Date: 7/14/05

By: Kenneth H. Samples
Kenneth H. Samples
Registration No. 25,747

120 South LaSalle Street
Suite 1600
Chicago, Illinois 60603-3406
Telephone: (312) 577-7000
Facsimile: (312) 577-7007

**UNITED STATES PATENT AND TRADEMARK OFFICE
CERTIFICATE OF CORRECTION**

PATENT NO. : **6,892,623**
DATED : **May 17, 2005**
INVENTOR(S) : **Benyami et al.**

It is certified that error appears in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

Add Claims 14-16:

14. A ballistic armor panel as in Claim 1, in which the hard material of the board is steel.
15. A ballistic armor panel as in Claim 1, in which the hard material of the board is titanium.
16. A ballistic armor panel as in Claim 1, in which the hard material of the board is a ceramic composition.

MAILING ADDRESS OF SENDER:

Kenneth H. Samples
Fitch, Even, Tabin & Flannery
120 South LaSalle Street, Suite 1600
Chicago, Illinois 60603-3406

PATENT NO: **6,892,623**

No. of additional copies



1

SEP 22 2005

UNITED STATES PATENT AND TRADEMARK OFFICE
CERTIFICATE OF CORRECTION

PATENT NO. : **6,892,623**
DATED : **May 17, 2005**
INVENTOR(S) : **Benyami et al.**

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Add Claims 14-16:

14. A ballistic armor panel as in Claim 1, in which the hard material of the board is steel.
15. A ballistic armor panel as in Claim 1, in which the hard material of the board is titanium.
16. A ballistic armor panel as in Claim 1, in which the hard material of the board is a ceramic composition.

MAILING ADDRESS OF SENDER:

Kenneth H. Samples
Fitch, Even, Tabin & Flannery
120 South LaSalle Street, Suite 1600
Chicago, Illinois 60603-3406

PATENT NO: **6,892,623**

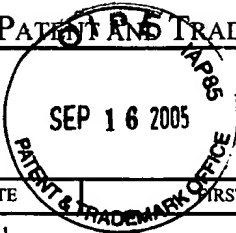
No. of additional copies

➡ 1

SEP 22 2005



UNITED STATES PATENT AND TRADEMARK OFFICE



UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/785,072	02/16/2001	Moshe Benyami	5596 70207	3067

22242 7590 06/10/2004

FITCH EVEN TABIN AND FLANNERY
120 SOUTH LA SALLE STREET
SUITE 1600
CHICAGO, IL 60603-3406

DOCKETED

JUN 24 2004

BY: DG

EXAMINER

CHAMBERS, TROY

ART UNIT	PAPER NUMBER
----------	--------------

3641

DATE MAILED: 06/10/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

RECEIVED
FITCH, EVEN, TABIN
JUN 15 2004

SUPPLEMENTAL
Notice of Allowability



Application No. 09/785,072		Applicant(s) BENYAMI ET AL.	
Examiner Troy Chambers		Art Unit 3641	<i>ML</i>

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☐ This communication is responsive to _____.
2. ☒ The allowed claim(s) is/are 1, 7-9 and 12-23 *14-16* *K*.
3. ☒ The drawings filed on 30 December 2003 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ | 7. <input type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

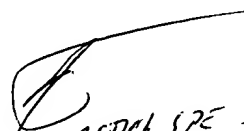
The application has been amended as follows:

Please include claims 14-16 as being allowed.

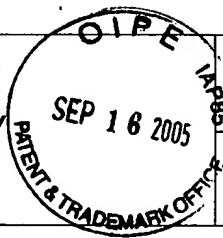
Conclusion

2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Troy Chambers whose telephone number is (703) 308-5870. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael J. Carone, can be reached at (703) 306-4198.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 306-4177. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.


ACM/SPE 3641

Interview Summary



Application No.

09/785,072

Applicant(s)

BENYAMI ET AL.

Examiner

Troy Chambers

Art Unit

3641

All participants (applicant, applicant's representative, PTO personnel):

(1) Troy Chambers.

(3) _____

(2) Lilia Safonov.

(4) _____

Date of Interview: 04 June 2004.

Type: a) ☒ Telephonic b) ☐ Video Conference

c) ☐ Personal [copy given to: 1) ☐ applicant 2) ☐ applicant's representative]

Exhibit shown or demonstration conducted: d) ☐ Yes e) ☐ No.

If Yes, brief description: _____

Claim(s) discussed: 14-16.

Identification of prior art discussed: n/a.

Agreement with respect to the claims f) ☐ was reached. g) ☐ was not reached. h) ☐ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: Applicant inquired as to claims 14-16 which read on non-elected species but of which claim 1 was generic to. Examiner agreed that claims 14-16 should have been allowed.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN ONE MONTH FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.

Examiner's signature, if required

Summary of Record of Interview Requirements



Manual of Patent Examining Procedure (MPEP), Section 713.04, Substance of Interview Must be Made of Record

A complete written statement as to the substance of any face-to-face, video conference, or telephone interview with regard to an application must be made of record in the application whether or not an agreement with the examiner was reached at the interview.

Title 37 Code of Federal Regulations (CFR) § 1.133 Interviews

Paragraph (b)

In every instance where reconsideration is requested in view of an interview with an examiner, a complete written statement of the reasons presented at the interview as warranting favorable action must be filed by the applicant. An interview does not remove the necessity for reply to Office action as specified in §§ 1.111, 1.135. (35 U.S.C. 132)

37 CFR §1.2 Business to be transacted in writing.

All business with the Patent or Trademark Office should be transacted in writing. The personal attendance of applicants or their attorneys or agents at the Patent and Trademark Office is unnecessary. The action of the Patent and Trademark Office will be based exclusively on the written record in the Office. No attention will be paid to any alleged oral promise, stipulation, or understanding in relation to which there is disagreement or doubt.

The action of the Patent and Trademark Office cannot be based exclusively on the written record in the Office if that record is itself incomplete through the failure to record the substance of interviews.

It is the responsibility of the applicant or the attorney or agent to make the substance of an interview of record in the application file, unless the examiner indicates he or she will do so. It is the examiner's responsibility to see that such a record is made and to correct material inaccuracies which bear directly on the question of patentability.

Examiners must complete an Interview Summary Form for each interview held where a matter of substance has been discussed during the interview by checking the appropriate boxes and filling in the blanks. Discussions regarding only procedural matters, directed solely to restriction requirements for which interview recordation is otherwise provided for in Section 812.01 of the Manual of Patent Examining Procedure, or pointing out typographical errors or unreadable script in Office actions or the like, are excluded from the interview recordation procedures below. Where the substance of an interview is completely recorded in an Examiner's Amendment, no separate Interview Summary Record is required.

The Interview Summary Form shall be given an appropriate Paper No., placed in the right hand portion of the file, and listed on the "Contents" section of the file wrapper. In a personal interview, a duplicate of the Form is given to the applicant (or attorney or agent) at the conclusion of the interview. In the case of a telephone or video-conference interview, the copy is mailed to the applicant's correspondence address either with or prior to the next official communication. If additional correspondence from the examiner is not likely before an allowance or if other circumstances dictate, the Form should be mailed promptly after the interview rather than with the next official communication.

The Form provides for recordation of the following information:

- Application Number (Series Code and Serial Number)
- Name of applicant
- Name of examiner
- Date of interview
- Type of interview (telephonic, video-conference, or personal)
- Name of participant(s) (applicant, attorney or agent, examiner, other PTO personnel, etc.)
- An indication whether or not an exhibit was shown or a demonstration conducted
- An identification of the specific prior art discussed
- An indication whether an agreement was reached and if so, a description of the general nature of the agreement (may be by attachment of a copy of amendments or claims agreed as being allowable). Note: Agreement as to allowability is tentative and does not restrict further action by the examiner to the contrary.
- The signature of the examiner who conducted the interview (if Form is not an attachment to a signed Office action)

It is desirable that the examiner orally remind the applicant of his or her obligation to record the substance of the interview of each case. It should be noted, however, that the Interview Summary Form will not normally be considered a complete and proper recordation of the interview unless it includes, or is supplemented by the applicant or the examiner to include, all of the applicable items required below concerning the substance of the interview.

A complete and proper recordation of the substance of any interview should include at least the following applicable items:

- 1) A brief description of the nature of any exhibit shown or any demonstration conducted,
- 2) an identification of the claims discussed,
- 3) an identification of the specific prior art discussed,
- 4) an identification of the principal proposed amendments of a substantive nature discussed, unless these are already described on the Interview Summary Form completed by the Examiner,
- 5) a brief identification of the general thrust of the principal arguments presented to the examiner,
(The identification of arguments need not be lengthy or elaborate. A verbatim or highly detailed description of the arguments is not required. The identification of the arguments is sufficient if the general nature or thrust of the principal arguments made to the examiner can be understood in the context of the application file. Of course, the applicant may desire to emphasize and fully describe those arguments which he or she feels were or might be persuasive to the examiner.)
- 6) a general indication of any other pertinent matters discussed, and
- 7) if appropriate, the general results or outcome of the interview unless already described in the Interview Summary Form completed by the examiner.

Examiners are expected to carefully review the applicant's record of the substance of an interview. If the record is not complete and accurate, the examiner will give the applicant an extendable one month time period to correct the record.

Examiner to Check for Accuracy

If the claims are allowable for other reasons of record, the examiner should send a letter setting forth the examiner's version of the statement attributed to him or her. If the record is complete and accurate, the examiner should place the indication, "Interview Record OK" on the paper recording the substance of the interview along with the date and the examiner's initials.